

# CDSS QUARTERLY

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## *Open Communication- by Director Wagner*

With the New Year, a lot of changes have come here at the state level. On January 3, 2011, Governor Jerry Brown took office for an unprecedented third term. The change in administration was followed with new appointment to the California Health and Human Services Agency (CHHS).

Shortly after taking the oath of office, Governor Brown appointed Ms. Diana Dooley as Secretary to the Agency. Secretary Dooley brings with her a history of successful collaboration in the public and private sectors in the areas of health care and social services. Her leadership and experience will be invaluable as we move through these challenging times.

Since joining the CHHS much of Sec. Dooley's focus has been on the State budget. In March, Governor Brown signed a package of legislation which addresses a large

portion of the projected \$26 billion State budget shortfall. While necessary to achieve fiscal stability, the cuts package includes more than a billion dollars in reductions to the important programs we all work so hard to make successful.

Currently my staff is working at a rapid pace with counties and stakeholders across California to implement the necessary changes which are required by the Governor's action. Like many of the hard working people in your offices, California Department of Social Services employees are dedicated to their professions and the programs which help millions across the State.

While there is much more work to be done by all to pass a balanced budget, there is also an eye toward plans for realignment of many services from the State to the local level. As with all major and minor changes affecting our social



services universe we look to you, our partners, for input and assistance in this effort. Keeping an open line of communication has been the key to our collaborative efforts in the past and will continue to be a recipe for success in the future.

As I have said in the past, working together we can achieve great things and realize our common goals while improving the quality of life for California's needy and vulnerable children and adults.

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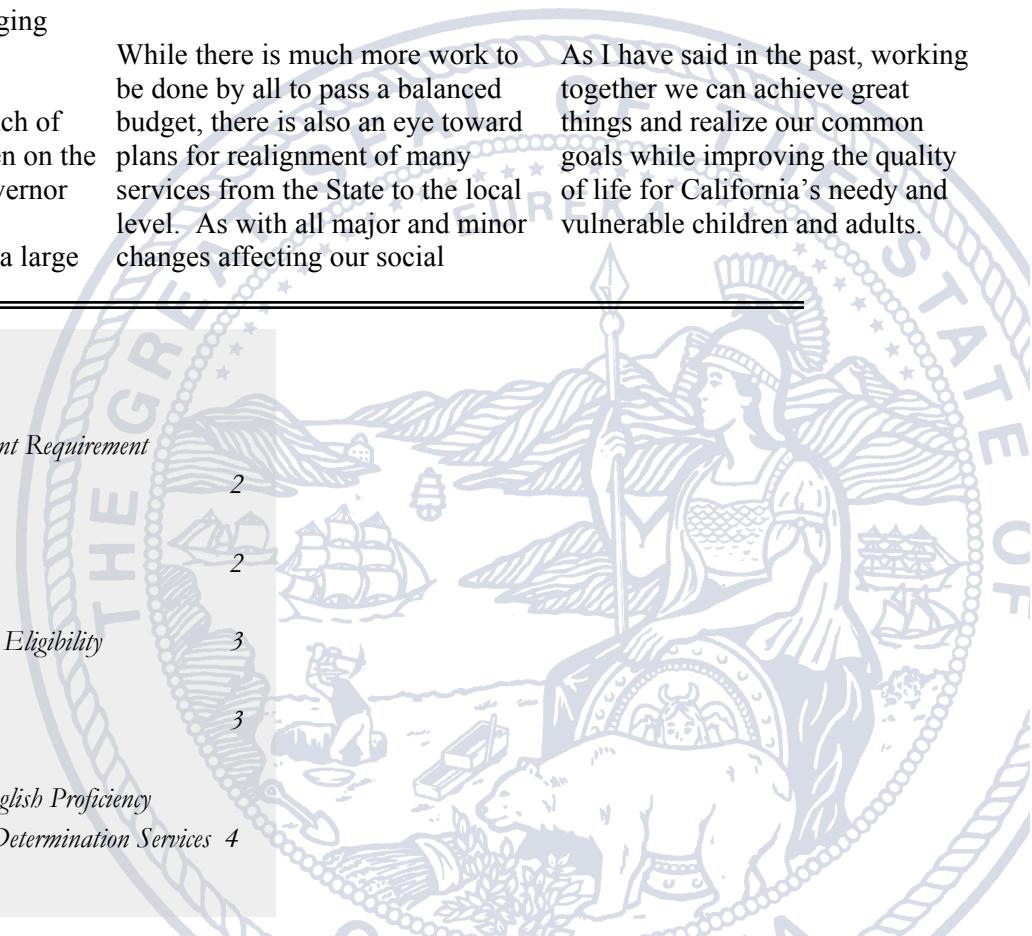
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## *IHSS Reforms – Provider Enrollment Requirement Enhancements*

Assembly Bill (AB) 1612 introduces new requirements to the In-Home Supportive Services (IHSS) program to improve the health and safety of IHSS recipients while in the care of providers. The new law, which went into effect on February 1, 2011, adds to the list of crimes which can disqualify an individual from acting as an IHSS provider.

The original crimes for which an individual is disqualified from being a provider (now referred to as Tier I crimes) include: specified abuse of a child, abuse of an elder or Dependent adult, fraud against a government health care or supportive services agency. Individuals with Tier I crimes cannot be employed as an IHSS provider under any circumstances. The expanded disqualifying

crimes set forth in AB 1612 (now referred to as Tier II crimes) include: specified violent or serious felony; felony for which the individual must register as a sex offender, felony fraud against a public social services program. Individuals convicted of Tier II crimes can be employed as an IHSS provider under certain circumstances.

If a recipient wishes an individual, who has been disqualified to be a provider under a Tier II crime, to work for him or her regardless of their criminal background, the recipient may sign and submit an individual waiver form. This waiver form allows the individual to work only for that recipient.

If an individual with a Tier II conviction wishes to work for IHSS recipients without a

waiver or wishes to be added to a provider registry, he or she can submit a general exception request to the California Department of Social Services, Caregiver Background Check Bureau (CBCB). The CBCB will review the general exception request and determine, based on criteria set forth in AB 1612, if the individual should be granted a general exception.

If the general exception is granted, the individual may provide services to any recipient and can be listed on a provider registry. If the general exception is denied, the individual may appeal that decision through the Department of General Services' Office of Administrative Hearings.

## *CMIPS II Update*

The development of CMIPS II is moving toward pilot implementation of three counties – Merced, San Diego and Yolo. Steady progress has been made in User

Acceptance Testing (UAT) with the assistance of our county and state partners. The OSI core team will complete resolution of any remaining issues. The regression testing portion of UAT will then be

scheduled and our test partners from counties, CDSS and DHCS-IHO will be invited back to assist.

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### *Expansion of Modified Categorical Eligibility for CalFresh*

Assembly Bill 433 (Beall – Chapter 625, Statutes of 2008) established a new policy, allowed by federal option, to approve CalFresh benefits without regard to assets. Previously, these households would have to deplete their savings in order to qualify for CalFresh benefits. This new policy will impact more than 180,000 households when fully implemented.

On July 1, 2009, California implemented this Modified Categorical Eligibility

(MCE) policy for families with members under the age of 18. Otherwise eligible families are made MCE eligible by receiving or having access to the “Family Planning – PUB 275” brochure which is funded through Temporary Assistance for Needy Families. This change added an estimated 42,000 households with children to the program.

Effective February 1, 2011, this policy was expanded to apply to all non-assistance CalFresh households, not just

those with minor children. This expansion is expected to add an estimated 140,000 households with individuals, including able-bodied adults, seniors, and disabled to California’s CalFresh Program.

The changes enacted are expected to increase the ability to provide nutritional benefits to needy families and streamline the processing of applications.

### *EBT Fraud Incident Update*

Since our initial reports on the theft of EBT cash aid from a limited number of EBT cardholder accounts in early January 2011, there have been no further incidences of fraudulent activity stemming from this issue. Within 24 hours of determining that fraudulent activity had occurred, CDSS worked with counties to immediately replace the stolen benefits and any associated bank fees and reported the crime to law enforcement authorities.

As soon as it was determined how the fraudulent activity was being perpetrated, the state immediately directed the state’s EBT vendor to implement system changes to prevent any additional theft of benefits.

CDSS is also requiring the EBT vendor to make additional system enhancements to further strengthen EBT system security. These enhancements will go into place within the next several months.

CDSS is deeply appreciative of the rapid response by counties in replacing the stolen benefits and issuing new EBT cards (as a precautionary measure to prevent further theft of benefits). County Fiscal Letter No. 10/11-54 was recently released providing counties with directions on how to claim reimbursement for those costs.

For additional information, please contact Yvonne Lee, Program Integrity Branch



## *Language Services For Limited English Proficiency*

### *A view from the CDSS Disability Determination Services*

One of the ways CDSS meets the goal for excellent customer service is to provide the public important information so that they can access the many services we offer.

In the Disability Determination Services Division (DDSD), claimants and applicants awaiting a determination on disability are often asked to provide information to aid in the process of making this determination. For example we ask the claimant's assistance in obtaining medical records from their doctors when their doctors have not responded to our requests; we ask the claimant to provide us with treating doctors or clinics they have recently visited; we ask claimants to provide additional information regarding their work experience or daily work activities. It is vitally important that the claimant/applicant is able to understand these requests.

In a state with a population as diverse as California is, providing information in languages other than English is not only good customer service, it is also mandated under the Dymally-Alatorre Bilingual Services Act (1973) and Title VI of the Civil Rights Act of 1964.

In June 2008, a workgroup made up of staff from State Programs branches in Oakland and Los Angeles met to discuss ways to provide language services to applicants with limited English speaking ability. The workgroup came together because of a resolution agreement with the U.S. Department of Health and Human Services, Office of Civil Rights.

According to complaints filed in 2003 on behalf of two separate applicants for Title XIX (Medi-Cal) benefits, State Programs did not fully provide language services to these individuals as is mandated by law. The stipulations of the settlement, which had to be implemented within a relatively short timeline, meant a completely new way of processing applications for limited English proficiency (LEP) applicants.

Members of this workgroup developed new procedures for processing LEP applications, identified over eighty forms and letters to be translated into twelve different languages (based on Department of Labor statistics) and developed training modules to ensure that State Programs can provide effective access to the Medi-Cal program for Non-English Speaking or Limited English Speaking applicants. The committee made sure that the language

of the settlement was carefully reviewed and that all corrective actions were taken by the deadlines given.

DDSD State Programs worked closely with our Language Services Bureau to ensure the required forms and letters were translated into Armenian, Arabic, Cambodian, Chinese, Farsi, Hmong, Korean, Lao, Russian, Spanish, Tagalog and Vietnamese.

These forms and letters were made available to staff for their use. We now have almost a thousand forms and letters available to use in communicating with LEP applicants in those languages.

In addition, the group developed training for all staff, which emphasized the importance of providing language service for our LEP applicants. This training addressed the importance of diversity and outlined the new process of providing language services both in writing and verbally to applicants who might not be able to complete the application process in English.

DDSD-State Programs staff now fully utilize this new process in their continuing efforts to provide the best possible product and customer service to our LEP applicants.

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